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Attorneys for the Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-07-0409 SBA
)	
Plaintiff,)	
)	STIPULATION AND
v.)	ORDER TO CONTINUE CHANGE OF
)	PLEA AND SENTENCING HEARING
)	
ALFREDO SANCHEZ,)	
)	
Defendants.)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. The government and defendant have reached a negotiated disposition in which defendant will plead guilty to a binding plea agreement.

2. Accordingly, the parties hereby submit the proposed plea agreement for the Court's review, submitted under separate cover for the Court's consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the following:

(a) That the parties have submitted a plea agreement for the Court's

1 consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), and that a hearing for
2 change of plea and imposition of judgment and sentence be scheduled for 11:00 a.m. on May 5,
3 2009; and

4 (b) That the time period from January 27, 2009, through May 5, 2009,
5 is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that
6 period of delay results from consideration by the Court of a proposed plea agreement entered
7 into by the defendant and the government pursuant to Federal Rule of Criminal Procedure
8 11(c)(1)(C).

9 Undersigned defense counsel represents that he has spoken with his client, Mr. Alfredo
10 Sanchez, and that Mr. Sanchez agrees that the Court may review the Presentence Investigation
11 Report prepared by the United States Probation Office prior to accepting defendant's guilty plea.

12
13 IT IS SO STIPULATED.

14 Respectfully submitted,

15 JOSEPH P. RUSSONIELLO
16 United States Attorney

17 Dated: January 27, 2009

18 /s/
KIMBERLY BRIGGS
Assistant United States Attorney

19
20 Dated: January 27, 2009

21 /s/
ROBERT L. FORKNER
Attorney for Alfredo Sanchez

ORDER

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on May 5, 2009. Time is excluded for purposes of the Speedy Trial Act from January 27, 2009, through the hearing date of May 5, 2009, pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). The United States Probation Office is ordered to prepare a Presentence Report for defendant.

DATED: 1/29/09


HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE